

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW MEXICO

In re:

FRED DALE VAN WINKLE,

Case No. 13-11743 t7

Debtor.

**ORDER ON MOTION REQUEST FOR RECOGNIZING BRIAN VAN WINKLE'S
RIGHT OF INTERVENTION AS ESTATE PERSONAL REPRESENTATIVE AND,
REQUEST FOR REMOVAL OF A STATE COURT RULING ACTION**

On August 12, 2019 at 9:30 a.m., the Court held a preliminary hearing on the Motion Request for Recognizing Brian Van Winkle's Right of Intervention as Estate Personal Representative and Request for Removal of a State Court Ruling Action, filed June 18, 2019, doc. 78 (the "Motion"), by Brian Van Winkle ("Movant"). Appearances were noted on the record. Being sufficiently advised, the Court HEREBY ORDERS:

1. If Movant becomes the successor representative of the deceased debtor's probate estate, the Court will allow Movant to appear for such estate. If applicable law requires Movant to be represented by counsel (the Court makes no ruling on this issue at this time), then Movant shall retain counsel.
2. If Movant wishes the Court to reopen this bankruptcy case, he should file a motion to reopen.
3. If Movant removes the pending state court foreclosure action to this Court and Bellevue Land Co., Inc. files a motion to remand the action, the Court will rule on the motion to remand at that time.



Hon. David T. Thuma
United States Bankruptcy Judge

Entered: August 16, 2019

Copies to: counsel of record

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